

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

ROBBINS SERVICE GROUP, LLC)	Case No. 23-40082
)	Chapter 7
)	
Debtor.)	
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**EX PARTE OMNIBUS MOTION OF THE TRUSTEE TO CONDUCT DISCOVERY
PURSUANT TO RULE 2004 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE**

NOW COMES William Lilly, the duly appointed chapter 7 trustee (the “Trustee”) for the above-captioned debtor Robbins Service Group, LLC (the “Debtor”), by and through his undersigned counsel, and hereby respectfully moves the Court, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), for the entry of an Order authorizing the Trustee to examine the Rule 2004 Parties (defined herein) and to issue subpoenas *duces tecum* pursuant to Bankruptcy Rule 9016. In support hereof, the Trustee states as follows:

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of this case and this Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The statutory predicates for the relief requested herein are sections 105(a) and Rules 2004 and 9016 of the Bankruptcy Rules.

2. No previous request for the relief requested herein has been made to this Court or to any other court.

3 The Debtor filed its voluntary petition on May 15, 2023 (the “Petition Date”).

4. On October 23, 2023, United Community Bank (“UCB”) filed an Emergency Motion to Convert, or in the Alternative, Prohibit Debtor’s Continued Use of Cash Collateral. [Doc. 152]. Among other things, UCB asserted that it is the Debtor’s primary secured creditor and that the Debtor had deposited and spent hundreds of thousands of dollars in Employee Retention Credit (“ERC”) refunds in violation of cash collateral orders [Doc. 45, 70] and without the permission of UCB or the Court.

5. On October 25, 2023, the Court conducted a hearing on UCB’s emergency motion and granted it, ordering the case converted to one under Chapter 7. That ruling was memorialized by an Order entered October 26, 2023. [Doc. 166].

6. The Trustee and his professionals need to review and receive clarity on certain financial information and transfers related to the Debtor’s financial performance. Below is a summary of the information to which the Trustee is seeking from the 2004 Parties:

2004 Parties	Information Sought
Andrew Berry	Individual responsible for preparing and filing the Debtor’s Employee Retention Credit
First Citizens Bank	Financial documents and banking records
Amazon.com Services, Inc.	Debtor and/or insiders utilized amazon for purchases
Intuit, Inc.	Financial documents and banking records
Erie Insurance Company	Insurance carrier for the Debtor
Wolters Kluwer Financial Services, Inc.	Financial documents and banking records specifically for the Debtor’s shared retirement plan
FT Williams Company, Incorporated	Financial documents and banking records specifically for the Debtor’s shared retirement plan
Aquesta Bank	Financial documents and banking records
Google, LLC	Any and all information related to the Debtor
REH CPA, PLLC	Entity responsible for preparing and filing the Debtor’s Tax Returns and financial records
Victoria Rene Bolick	Debtor’s book keeper
Corporate Payroll Services, Inc.	Debtor’s payroll company

(the “Rule 2004 Parties”).

7. Consequently, the Trustee seeks to issue document subpoenas to the Rule 2004 Parties seeking the production of, among other things, financial records, bank records, account statements, loan documents, and related documents.

8. Based on the foregoing, the Trustee respectfully requests the entry of an order authorizing it to examine the Rule 2004 Parties pursuant to Bankruptcy Rule 2004 upon at least fourteen (14) days’ notice and to issue subpoenas *duces tecum* pursuant to Bankruptcy Rule 2016.

WHEREFORE, the Trustee respectfully requests the entry of an order granting the relief requested herein and such other and further relief as is just and proper.

Date: June 26, 2024.
Charlotte, NC

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